

**TENTATIVE RULINGS**

**CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR**

**For: 12/08/2008 Monday Dept: 1A**

**(Posted 12/04/08)**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

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1. **1:00 PM** Case: CF7817 [M] LVNV FUNDING LLC v HERNANDEZ  
Type: COLLECTIONS Date Filed: 12/06/07  
Priority Info: RULE 3.740  
Event: OSC RE: JUDGMENT

PLNTFF: LVNV FUNDING LLC ATTY: BIDNA & KEYS APLC  
DEFNDT: HERNANDEZ, GILBERT  
Service Date/Type: 01/07/08 PER 00/00/00

Tentative Ruling: This matter awaits entry of judgment. The matter is continued for further case management, if judgment enters in the interim the following date will be vacated, Dept 1A at 1:00 PM on 6/8/09.

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2. **1:00 PM** Case: CF7994 [M] PLATTE RIVER v KING  
Type: INTERPLEADER Date Filed: 04/03/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE  
Event: CONT'D OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: PLATTE RIVER INSURANCE COMPANY ATTY: SEDGWICK DETERT MORAN & ARNOL  
DEFNDT: KING, EVELYN F  
DEFNDT: PAOLINI, GENE  
Service Date/Type: 06/30/08 NAR 00/00/00  
DEFNDT: NEUER, MIKE  
Service Date/Type: 06/29/08 NAR 00/00/00  
DEFNDT: TANK, DOUG ATTY: IN PRO PER  
Service Date/Type: 06/12/08 NAR Answer Date: 12/03/08  
DEFNDT: RITE OF PASSAGE ATHLETIC TRAINING ATTY: PEMBERTON, TIMOTHY W. ESQ  
Service Date/Type: 06/16/08 NAR Answer Date: 06/19/08

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. (Evelyn King) Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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3. 1:00 PM Case: CF8075 [M] BENEFICIAL CALIFORNIA v FAWCETT  
Type: COLLECTIONS Date Filed: 06/04/08  
Priority Info: RULE 3.740  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: BENEFICIAL CALIFORNIA INC ATTY: MANN BRACKEN LLP  
DEFNDT: FAWCETT, MARK D

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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4. 1:00 PM Case: CF8129 [M] PURCELL MURRAY v VISTA HOMES INC  
Type: BREACH OF CONTRACT Date Filed: 07/22/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: PURCELL MURRAY BUILDER SALES COMP ATTY: BARKER OLMSTED & BARNIER  
DEFNDT: VISTA HOMES INC ATTY: WAGNER KIRKMAN BLAINE KLOMPAR  
Service Date/Type: 09/04/08 PER Answer Date: 11/19/08  
DEFNDT: REYNEN, JOHN  
DEFNDT: MCCULLOCH, ELIZABETH ATTY: WAGNER KIRKMAN BLAINE KLOMPAR  
Service Date/Type: 09/04/08 PER Answer Date: 11/19/08  
DEFNDT: REYNEN, CHRISTO ATTY: WAGNER KIRKMAN BLAINE KLOMPAR  
Service Date/Type: 10/15/08 NAR Answer Date: 11/19/08

Tentative Ruling: It appears defendant(s) has filed for bankruptcy protection. (John Reynen) The bankruptcy petition front page with filing stamp was filed 10/22/08) with this court. The matter is continued for further case management in Dept. 1A at 1:00PM on 4/13/09.

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5. 1:00 PM Case: CV30832 [S] RIBEIRA v REXINGER  
Type: QUIET TITLE Date Filed: 07/30/04  
Event: COURT'S MOTION TO DISMISS PURSUANT TO  
CAL RULES 3.1385

PLF/XD: RIBEIRA, GARY ATTY: FOLEY, LAW OFFICES OF KENNETH  
Service Date/Type: 00/00/00 Answer Date: 10/29/04  
PLF/XD: RIBEIRA, DEBBIE ATTY: FOLEY, LAW OFFICES OF KENNETH  
Service Date/Type: 00/00/00 Answer Date: 10/29/04  
DEF/XC: REXINGER, MARSHALL ATTY: BELZER & CARR LLP  
Service Date/Type: 08/30/04 NAR Answer Date: 10/05/04  
DEF/XC: REXINGER, ELISE ATTY: BELZER & CARR LLP  
Service Date/Type: 08/30/04 NAR Answer Date: 10/05/04

Tentative Ruling: The matter was previously noticed and set for the court's motion to dismiss pursuant to Cal. Rules of Court 3.1385. No opposition to the motion has been filed and the matter is hereby ordered dismissed with prejudice.

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6. 1:00 PM Case: CV31707 [S] NORRIED v SQUIRE  
Type: INJUNCTION Date Filed: 05/27/05  
Priority Info: 170.3 JEM  
Event: FURTHER CASE MANAGEMENT CONFERENCE

P/TRSTE NORRIED, FLOYD R ATTY: FOLEY, KENNETH M ESQ  
I/TRSTE NORRIED REVOCABLE TRUST  
P/TRSTE NORRIED, MARILYN ATTY: FOLEY, KENNETH M ESQ  
I/TRSTE NORRIED REVOCABLE TRUST  
X/COMP: THE SQUIRE TRUST ATTY: MILLER STARR & REGALIA  
Service Date/Type: 00/00/00 Answer Date: 02/06/06  
DEFNDT: SQUIRE, DANA D ATTY: MILLER STARR & REGALIA  
Service Date/Type: 12/30/05 NAR Answer Date: 02/06/06  
DEFNDT: SQUIRE, KEVIN ATTY: MILLER STARR & REGALIA  
Service Date/Type: 12/30/05 NAR Answer Date: 02/06/06  
DEF/XC: VALLEY SPRINGS HOME CENTER LLC ATTY: MILLER STARR & REGALIA  
Service Date/Type: 12/30/05 NAR Answer Date: 02/06/06  
RP/INT: NORRIED FAMILY PROPERTIES LP ATTY: FOLEY, KENNETH M ESQ

Tentative Ruling: This matter awaits entry of judgment. The matter is continued for further case management, if judgment enters in the interim the following date will be vacated, Dept 1A at 1:00 PM on 6/8/09.

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7. 1:00 PM Case: CV32733 [S] DIGIALONARDO, ETAL v MARINA RIDGE, ETAL  
Type: BREACH OF CONTRACT Date Filed: 06/05/06  
Event: TRIAL SETTING

PLNTFF: DIGIALONARDO, TOM D. ATTY: IN PRO PER  
PLNTFF: GRECI, CYNTHIA M. ATTY: IN PRO PER  
DEFNDT: MARINA RIDGE LLC ATTY: IN PRO PER  
DEFNDT: DOUBINSKI, LEONARD ATTY: MATTA, GARY R. ESQ.  
DEFNDT: VLD REALTY ATTY: MATTA, GARY R. ESQ.  
AKA: VLD REALTY GROUP LLC  
DBA: CALYPSO BAY HOME SALES  
DF/X-D: BLDCO - C/O VLADIMIR KAMYSIN ATTY: MCCARTNEY & ASSOCIATES  
Service Date/Type: 08/04/06 SUB Answer Date: 09/15/06  
X-DEFT PIMENTEL, BALDOMERO CRUZ  
DBA: BP CONCRETE

Tentative Ruling: Plaintiffs were previously instructed, but so far have failed, to request entry of the defendants default. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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8. 1:00 PM Case: CV33514 [S] AGATEP v MORIN  
Type: QUIET TITLE Date Filed: 03/05/07  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: AGATEP, PETE ATTY: GANZER & WILLIAMS  
PLNTFF: AGATEP, LINDA ATTY: GANZER & WILLIAMS  
DEFNDT: MORIN, JULIANNE ATTY: IN PRO PER  
Service Date/Type: 03/20/07 PER Answer Date: 04/24/07  
TRSTEE: JULIANNE MORIN TRUST  
DEFNDT: BLACK, ALLEN LAWRENCE ATTY: IN PRO PER  
Service Date/Type: 03/14/07 PER Answer Date: 04/24/07  
TRSTEE: BLACK FAMILY TRUST  
DEFNDT: BLACK, BETTY BERNICE ATTY: IN PRO PER  
Service Date/Type: 03/14/07 PER Answer Date: 04/24/07  
TRSTEE: BLACK FAMILY TRUST  
DEFNDT: CALLANDRILLO, ALEXANDER ATTY: IN PRO PER  
Service Date/Type: 03/20/07 PER Answer Date: 04/24/07  
DEFNDT: CALLANDRILLO, PHYLLIS ATTY: IN PRO PER  
Service Date/Type: 03/20/07 PER Answer Date: 04/24/07  
DEFNDT: KRIEGER, DONALD ATTY: IN PRO PER  
Service Date/Type: 03/14/07 PER Answer Date: 04/24/07  
DEFNDT: KRIEGER, GAIL P ATTY: IN PRO PER  
Service Date/Type: 03/14/07 PER Answer Date: 04/24/07  
DEFNDT: HEALY, TIMOTHY SHEA  
DEFNDT: HEALY, RACHEL D. ATTY: HEALY, LAW OFFICE OF TIMOTHY  
Service Date/Type: 00/00/00 Answer Date: 11/03/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 2 day court trial.

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9. 1:00 PM Case: CV34221 [S] CALAVERAS LUMBER CO v GOLD WEST ET AL  
Type: BREACH OF WARRANTY Date Filed: 11/16/07  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: CALAVERAS LUMBER COMPANY INC ATTY: AIROLA & AIROLA  
DEFNDT: GOLD WEST CONSTRUCTION INC  
DEFNDT: MARINA RIDGE LLC

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. (substituted service of the amended pleadings without the necessary mailing and declaration of due diligence) Plaintiff must correct these omissions prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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10. 1:00 PM Case: CV34322 [S] FISHER, ETAL v SMITH, ETAL  
Type: QUIET TITLE Date Filed: 12/26/07  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL  
Event: OSC RE: FILING COMPLIANCE

\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: FISHER, CARLA ATTY: SEGERSTROM, KATE POWELL ESQ  
PLNTFF: VAL AND CARLA FISHER FAMILY TRUST  
AKA: FISHER FAMILY TRUST, VAL AND C  
PLNTFF: MINNIS, VANCE D. ATTY: SEGERSTROM, KATE POWELL ESQ  
P/TRSTE FISHER, VAL ATTY: SEGERSTROM, KATE POWELL ESQ  
DEFNDT: SMITH, DAVID  
DEFNDT: FRANK B. SMITH & HEATHER ANN SMIT  
AKA: SMITH, FRANK B. & HEATHER ANN  
DEFNDT: SMITH MARITAL TRUST A  
DEFNDT: SMITH FAMILY BY-PASS TRUST B  
DEFNDT: W. JOHN ROBIE & KATHRYN M. ROBIE  
AKA: ROBIE, W. JOHN & KATHRYN M. FA  
D/TRSTE SMITH, FRANK B.  
D/TRSTE SMITH, HEATHER ANN  
D/TRSTE SMITH, ELIZABETH ROBIE  
D/TRSTE SMITH, FRANK B. III  
D/TRSTE ROBIE, W. JOHN  
D/TRSTE ROBIE, KATHRYN M.

Tentative Ruling: Plaintiffs' counsel represent the matter is settled. The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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11. 1:00 PM Case: CV34638 [S] WELLMAN v MCMILLIAN  
Type: BREACH OF CONTRACT Date Filed: 04/28/08  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL  
12/09/08 10:00 1 PLAINTIFF'S MOTION FOR BIFURCATION OF  
CROSS-COMPLAINT

PLNTFF: WELLMAN, FRED ATTY: VOGT, ELLEN D. ESQ  
DEF/XC: MCMILLIAN, JACK ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
Service Date/Type: 05/13/08 NAR Answer Date: 09/26/08  
DF/X-D: MCMILLIAN, KIM ATTY: FOLEY, LAW OFFICES OF KENNETH  
Service Date/Type: 05/22/08 PER Answer Date: 11/07/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 5/11/09.

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12. 1:00 PM Case: CV34888 [S] BAKERCORP v HATCHETT MOUNTAIN CON  
Type: BREACH OF CONTRACT Date Filed: 07/21/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: BAKERCORP ATTY: AIRES LAW FIRM  
DEFNDT: HATCHETT MOUNTAIN CONSTRUCTION IN  
Service Date/Type: 10/03/08 PER 00/00/00  
DEFNDT: KEMPKE, TIMOTHY J  
Service Date/Type: 10/03/08 PER 00/00/00  
AKA: KEMPKE, TIM J  
DEFNDT: DIEDE CONSTRUCTION INC ATTY: HARRIS & PERISHO  
Service Date/Type: 08/11/08 PER Answer Date: 12/03/08

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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13. 1:00 PM Case: CV34889 [S] SMAHLIK v PEBLEY  
Type: OTHER NON PI, PD, WD TORT Date Filed: 07/21/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: SMAHLIK, MEGHAN ATTY: YOUNG.WARD ATTORNEYS  
GDN/AL: SMAHLIK, PAMELA ATTY: YOUNG.WARD ATTORNEYS  
DEFNDT: PEBLEY, CLAYTON ATTY: HAIGHT BROWN & BONESTEEL LLP  
Service Date/Type: 08/20/08 PER Answer Date: 10/09/08  
DEFNDT: PEBLEY, SHERRI ATTY: HAIGHT BROWN & BONESTEEL LLP  
Service Date/Type: 00/00/00 Answer Date: 10/09/08

Tentative Ruling: The case is At-Issue and referred to Judicial Arbitration on a 60 day delay. The parties my stipulate to mediation in lieu of arbitration. Discovery to remain open until 30 days prior to trial. Trial setting is set in Dept. 1A at 1:00 PM on 5/11/09.

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14. 1:00 PM Case: CV34894 [S] R&B LAND INVESTMENTS v CRV ENTERPRISES  
Type: BREACH OF CONTRACT Date Filed: 07/22/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: R&B LAND INVESTMENTS LLC ATTY: WAGNER KIRKMAN BLAINE KLOMPAR  
PLNTFF: REYNEN & BARDIS COMMUNITIES INC ATTY: WAGNER KIRKMAN BLAINE KLOMPAR  
DEFNDT: CRV ENTERPRISES INC ATTY: MULLEN SULLIVAN & NEWTON  
Service Date/Type: 09/13/08 PER Answer Date: 09/25/08  
DEFNDT: VALLEY SPRINGS GOLD CREEK INC ATTY: MULLEN SULLIVAN & NEWTON  
Service Date/Type: 09/13/08 PER Answer Date: 09/25/08  
DEFNDT: OLD GOLDEN OAKS LLC ATTY: MULLEN SULLIVAN & NEWTON  
Service Date/Type: 09/13/08 PER Answer Date: 09/25/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 5/11/09.

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15. 1:00 PM Case: CV34900 [S] GOLD STRIKE HEIGHTS v WESTWIND DEVELOPMENT  
Type: CIVIL COMPLAINT Date Filed: 07/23/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL  
Event: CONT'D OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
12/23/08 10:00 1 DEFT'S MOTION TO COMPEL DISCOVERY

PLNTFF: GOLD STRIKE HEIGHTS HOMEOWNERS AS ATTY: INMAN THOMAS  
DEFNDT: WESTWIND DEVELOPMENT INC ATTY: WEISBERG, MICHAEL ESQ  
Service Date/Type: 08/24/08 PER Answer Date: 09/10/08  
DEFNDT: MEAGHER, FRANK  
DEFNDT: WOOLWORTH, A R ATTY: WEISBERG, MICHAEL ESQ  
Service Date/Type: 08/24/08 PER Answer Date: 09/10/08  
DEFNDT: PLACER TITLE COMPANY ATTY: OLSON, LAW OFFICES OF JOHN R.  
Service Date/Type: 08/19/08 PER Answer Date: 10/06/08  
DEFNDT: ALTHOFF, JAMES C  
Service Date/Type: 10/20/08 SUB 00/00/00  
TRSTEE: ALTHOFF, JAMES C & AGNES G REV  
DEFNDT: ALTHOFF, AGNES G  
Service Date/Type: 10/20/08 SUB 00/00/00  
TRSTEE: ALTHOFF, JAMES G & AGNES C REV  
DEFNDT: PNAG, KULDEEP K  
DEFNDT: EVANS, LORETTA L  
Service Date/Type: 10/20/08 SUB 00/00/00  
TRSTEE: EVANS, LORETTA L FAMILY TRUST  
DEFNDT: PNAG, SHAMSHER S  
DEFNDT: HILLBERRY, STEVEN MAX  
TRSTEE: HILLBERRY, STEVEN MAX REVOCABL  
DEFNDT: HILLBERRY, MARIE ROSE  
TRSTEE: HILLBERRY, MARIE ROSE REVOCABL  
DEFNDT: PISTELLA, RAYMOND L.

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 5/11/09.

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16. 1:00 PM Case: CV34922 [S] NAKANO v MCGRATH  
Type: CIVIL COMPLAINT Date Filed: 07/23/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLF/XD: NAKANO, GEORGE J ATTY: SNYDER LAW  
PLF/XD: NAKANO, PATRICIA R ATTY: SNYDER LAW  
DEFNDT: ALL PERSONS UNKNOWN  
DEF/XC: MCGRATH, RICHARD G ATTY: TERRA LAW LLP  
Service Date/Type: 09/15/08 PER Answer Date: 10/30/08  
DEF/XC: MCGRATH, DAN W ATTY: TERRA LAW LLP  
Service Date/Type: 09/14/08 PER Answer Date: 10/30/08  
DEF/XC: LEACH, KATHLEEN N ATTY: TERRA LAW LLP  
Service Date/Type: 09/24/08 SUB Answer Date: 10/30/08  
X-DEFT UNITED GENERAL TITLE INSURANCE CO

Tentative Ruling: There is no appearance by the recently named cross-defendant United General. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/13/09.

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17. 1:00 PM Case: CV34935 [S] LOFLIN v TEIXEIRA/GIFFON  
Type: P.I. MOTOR VEHICLE Date Filed: 07/28/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: STOTT, DILLON W ATTY: DERKUM, STEPHEN A. ESQ  
P/GDN: LOFLIN, MELISSA M ATTY: DERKUM, STEPHEN A. ESQ  
DEFNDT: TEIXEIRA, ASHLEY BARBARA ATTY: O'HAGAN, LAW OFFICES OF THOMA  
Service Date/Type: 00/00/00 Answer Date: 11/25/08  
DEFNDT: GIFFON, GARY ATTY: O'HAGAN, LAW OFFICES OF THOMA  
Service Date/Type: 00/00/00 Answer Date: 11/25/08

Tentative Ruling: The case is At-Issue and referred to Judicial Arbitration on a 60 day delay. The parties my stipulate to mediation in lieu of arbitration. Discovery to remain open until 30 days prior to trial. Trial setting is set in Dept. 1A at 1:00 PM on 5/11/09.

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18. **2:00 PM** Case: CV33020 [S] HANNEL v HANNEL  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 09/22/06  
Priority Info: \*STATUS ONLY DISSO 05-15-07\*  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV32980 , CV33248 ,  
PETNR: HANNEL, LORI ELLEN ATTY: IN PRO PER  
RESP: HANNEL, DENNIS TROY ATTY: IN PRO PER  
Service Date/Type: 00/00/00 Answer Date: 11/14/06

Tentative Ruling: It appears a party's bankruptcy action is still pending. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 4/13/09.



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19. 2:00 PM Case: CV33590 [S] FOLEY v FOLEY  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 04/04/07  
Priority Info: LEAD W/CV33580; MSE 10/06/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV33580 ,  
PETNR: FOLEY, AMY ELIZABETH ATTY: HALLUM, KENNETH M. ESQ.  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: FOLEY, MARK THOMAS ATTY: IN PRO PER  
Service Date/Type: 04/05/07 PER Answer Date: 05/02/07  
CLAMNT: WESTERN CONFERENCE OF TEAMSTERS P  
Service Date/Type: 02/13/08 NAR 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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20. 2:00 PM Case: CV33840 [S] LESCHINSKY v LESCHINSKY  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 06/28/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW  
  
PETNR: LESCHINSKY, FRANK ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
RESP: LESCHINSKY, GENEVIEVE ATTY: HALLUM, KENNETH M. ESQ.  
Service Date/Type: 00/00/00 Answer Date: 09/07/07

Tentative Ruling: The parties represent a settlement is pending. This matter may be concluded by a Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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21. 2:00 PM Case: CV34016 [S] ROJAS v ROJAS  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/29/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW  
  
PETNR: ROJAS, KAREN SUE ATTY: TRIFILO, JOHN J. ESQ  
RESP: ROJAS, ROSENDO ATTY: IN PRO PER  
Service Date/Type: 09/12/07 PER Answer Date: 05/21/08

Tentative Ruling: The parties represent a settlement is pending. This matter may be concluded by a Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). If no settlement is reached Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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22. 2:00 PM Case: CV34060 [S] TALLANT v ROHRBACH  
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 09/13/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: TALLANT, BRANDI L. ATTY: IN PRO PER  
RESP: ROHRBACH, IAN E.

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. The petitioner has failed to file the required disclosures. The petitioner has failed to appear at the last three hearings. This matter is dismissed without prejudice.

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23. 2:00 PM Case: CV34104 [S] FLORES v FLORES  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 09/25/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: FLORES, MATT D. ATTY: IN PRO PER  
RESP: FLORES, SASHA K.

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 4/13/09.

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24. 2:00 PM Case: CV34204 [S] HENRY v HENRY  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/07/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV32792 ,  
PETNR: HENRY, KAYCEE ATTY: IN PRO PER  
RESP: HENRY, MICHA  
Service Date/Type: 11/15/07 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 4/13/09.

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25. 2:00 PM Case: CV34360 [S] SMITH v BUCKINGHAM  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 01/14/08  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV30584 , CV30213 , CV33733 ,  
PETNR: SMITH, NATALIE ATTY: IN PRO PER  
RESP: BUCKINGHAM, JACOB  
Service Date/Type: 01/14/08 PER Answer Date: 10/09/08

Tentative Ruling: These parties have child custody and visitation orders in multiple files which leads to confusion and potentially conflicting orders. The following case management orders are made:

1. The parties initial dissolution case CV30213 containing a Juvenile Exit Order filed 2/15/05 is hereby ordered closed with all further filings to be in the present case (CV34360). A copy of this order is to be placed in CV30213 and a copy of the 2/15/05 Exit Order is to be placed in the present case (CV34360).
2. The parties have another case CV33733, containing a Juvenile Exit Order filed 5/15/07 which is hereby ordered closed with all further filings to be in the present case (CV34360). A copy of this order is to be placed in CV33733 and a copy of the 5/15/07 Exit Order is to be placed in the present case (CV34360).
3. In the present case Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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26. 2:00 PM Case: CV34653 [S] FRYE v FRYE  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 04/30/08  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV31771 ,  
PETNR: FRYE, RONALD W ATTY: GJERDE, LAW OFFICE OF SEAN  
RESP: FRYE, CYNTHIA ATTY: IN PRO PER  
Service Date/Type: 05/25/08 PER Answer Date: 06/24/08

Tentative Ruling: Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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27. 2:00 PM Case: CV34689 [S] MCMILLIAN v MCMILLIAN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/12/08  
At-Issue Date: 00/00/00 Trial: 12/17/08 COURT TRIAL - SHORT CAUSE  
Event: FURTHER CASE MANAGEMENT CONFERENCE RE  
REMAINING ISSUES  
12/17/08 9:00 1 COURT TRIAL ON CONTEMPT ISSUES  
12/17/08 9:00 1 REPORT OF MINOR'S COUNSEL ON PETITIONERS  
OSC RE VISITATION

Related cases NOT on this calendar: CV34445 ,  
PETNR: MCMILLIAN, KIM M. ATTY: FOLEY, LAW OFFICES OF KENNETH  
MINOR: MCMILLIAN MINOR P.D.: KEENE, PATRICK M ESQ  
RESP: MCMILLIAN, JACK W. ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
Service Date/Type: 05/24/08 PER Answer Date: 05/30/08

Tentative Ruling: There are temporary orders on custody and support. The necessary disclosures are on file. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 3:00 PM in Dept. 1A on 2/9/09.

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28. 2:00 PM Case: CV34744 [S] VADER v RIDDLE  
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 05/28/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV34908 ,  
PETNR: VADER, LEANNE ATTY: IN PRO PER  
RESP: RIDDLE, LOUIS ATTY: IN PRO PER  
Service Date/Type: 00/00/00 Answer Date: 06/10/08

Tentative Ruling: Parentage is at issue in case CV34908 set for hearing 12/17/08. In the present case the parties have a temporary custody agreement. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 4/13/09.

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29. 2:00 PM Case: CV34902 [S] LANDRETH v LANDRETH  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 07/23/08  
Priority Info: PETNR FEE WAIVER GRNTD IN PART  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: LANDRETH, RODNEY J ATTY: IN PRO PER  
RESP: LANDRETH, TEDDIE A ATTY: CALDERWOOD, BRUCE G ESQ  
Service Date/Type: 07/23/08 PER Answer Date: 08/22/08

Tentative Ruling: Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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30. 2:00 PM Case: CV34921 [S] FRANCK v FRANCK  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 07/24/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: FRANCK, JENNIFER M ATTY: IN PRO PER  
RESP: FRANCK, SHERIDAN R  
Service Date/Type: 07/29/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 3/9/09.

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31. 2:00 PM Case: CV34947 [S] COX v COX  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 07/30/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: COX, PAMELA ATTY: IN PRO PER  
RESP: COX, BRANDON

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 4/13/09.

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32. 2:00 PM Case: CV34966 [S] ROSS v MORELAND  
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 08/06/08  
Priority Info: CONFIDENTIAL  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: JD4761 ,  
PETNR: ROSS, ANDREW ATTY: IN PRO PER  
RESP: MORELAND, KAYLA-ANN  
Service Date/Type: 08/07/08 PER 00/00/00

Tentative Ruling: This action is stayed pending disposition in the juvenile case JD4761. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/8/09.

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33. 2:00 PM Case: CV34974 [S] NELSON v NELSON  
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 08/07/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV34387 ,  
PETNR: NELSON, LOREN DUANE ATTY: IN PRO PER  
RESP: NELSON, ANNETTE MARIE

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 4/13/09.

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34. 2:00 PM Case: CV34976 [S] AVILA v AVILA  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/08/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV25292 ,  
PETNR: AVILA, VICTOR A ATTY: IN PRO PER  
RESP: AVILA, JENNIFER J

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 3/9/09.

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35. **3:00 PM** Case: CV32467 [S] O'NEILL v O'NEILL  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 03/06/06  
At-Issue Date: 00/00/00 Trial: 10/15/08 COURT TRIAL - LONG CAUSE  
Event: FURTHER SETTLEMENT CONFERENCE-REMAINING  
ISSUES  
01/27/09 11:00 1 READINESS CONFERENCE-REMAINING ISSUES  
01/28/09 9:00 1 COURT TRIAL - REMAINING ISSUES

PETNR: O'NEILL, ROBERT C ATTY: CALDERWOOD, BRUCE G ESQ  
RESP: O'NEILL, CHRISTI L ATTY: PAGE, HELEN O. ESQ  
Service Date/Type: 00/00/00 Answer Date: 06/19/06

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.